



Arkansas Department of Health

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Governor Mike Beebe

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Fluoridation Questions & Answers

Listed below are some common questions regarding the proposed regulation change for fluoridation and the ADH fluoridation program, in general. For questions not addressed here, contact Glenn Greenway:

501-661-2623 or

Glenn.Greenway@Arkansas.gov.

Q. What is Act 197 and how many Arkansas water systems does it affect?

A. Act 197 was passed by the 2011 Arkansas General Assembly and signed by Governor Mike Beebe. It requires water systems serving a total population of 5000 or above to adjust fluoride levels to a level to be set by the State Board of Health. Compliance with the statute is not required until funding outside of the water system is available to pay the capital start-up costs for fluoridation equipment. A total of 34 source systems (those which produce and treat water) are impacted by this statute. That number could increase in future when some smaller systems reach the 5000 population trigger. In addition, the 34 source systems also supply 84 consecutive community water systems. For a list of all of the impacted systems, contact Glenn Greenway with the Engineering Section. A preliminary list of systems was published in the Spring 2011 *Arkansas Drinking Water Update*.

Q. Where will the funding for fluoridation equipment come from?

A. The Delta Dental of Arkansas Foundation, which is committed to improving the oral health of Arkansans, has pledged up to \$2 million over a five year period to fund the installation of fluoridation equipment at public water systems.

Q. How will the grant process with the Delta Dental of Arkansas Foundation work?

A. A grant application for public water system fluoridation can be obtained by contacting Edie Arey, Delta Dental of Arkansas Foundation Director (eaarey@ddpar.com). The water system should employ the services of a professional engineer to prepare a preliminary engineering report and cost estimate for the fluoridation equipment to accompany the grant application. A five member panel solicited by the Foundation will review the application and respond to the applicant. As with any water system modification, both the preliminary engineering report and the final plans and specifications for the equipment will have to be reviewed and approved by the ADH.

Q. Can a water system use its own funds for fluoridation or to supplement Foundation money?

A. Yes, at any time a water system can choose to use its own funds for fluoridation equipment and related facilities.

Q. What if the Foundation runs out of money?

A. If the demand for funds exceeds \$2 million, the Foundation will consider the remaining amount and make a decision based on need and availability of additional funding.

Q. Can a water system serving less than 5000 population apply to Delta Dental for funding?

A. Yes, the Foundation is committed to increasing access to fluoridated water for Arkansans served by public water systems. Its grant program is open to any public water system and not just those systems affected by Act 197. The Foundation does

reserve the right to prioritize its grant funds based on its own criteria.

Q. What does the ADH consider as "reasonable" for capital start-up costs?

A. Act 197 states that an engineer recognized or employed by the ADH shall determine what costs are reasonable. Currently, what is considered as reasonable is being largely determined by the Foundation panel. That panel reviews each grant application and the panel includes an engineer from the ADH. The ADH approach on fluoridation equipment can best be summarized by the phrase "simpler is better". For the majority of Arkansas water systems, the proper level of fluoride can be best and most economically assured through a properly sized feeder, the use of a day tank, and frequent monitoring of fluoride levels.

Q. Where can I obtain a copy of the CDC document containing the "must" requirements?

A. The document can be downloaded from the internet at: www.cdc.gov/mmwr/PDF/rr/rr4413.pdf.

Q. Will currently fluoridating systems be required to make operational changes?

A. The intent of the revised regulation was not to place an additional operational burden on those systems currently fluoridating. The proposed regulatory language was designed to have flexibility and to consider the circumstances that can be unique to a particular water system.

Q. When will the new law become effective?

A. Act 197 is already in effect; however, in order for the ADH to enforce the statute it must promulgate revised regulations. That process is currently underway and should be completed in early 2012.

Q. How long will water systems be given to comply?

A. The ADH understands that compliance with Act 197 will not

occur overnight and that mandatory compliance is not required until outside funding is available. As long as a water system is making timely progress in procuring available funding and in installing the equipment, the ADH will not pursue enforcement actions.

Q. What if a water system greater than 5000 population fails to comply with the ADH regulation?

A. The Engineering Section has an existing enforcement policy and will utilize that policy to seek compliance with the fluoridation regulations. The policy utilizes progressive enforcement measures beginning with a Notice of Violation but which can also include monetary penalties assessed by the Board of Health.